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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: FM Bay

Notice of Allowance Mailed: September 22, 2005

Application No.: 09/904,911

Group Art Unit: 2664

Filed: July 16, 2001

Examiner: PATEL, Ajit

For: SYSTEM AND METHOD FOR INDIVIDUALIZED BROADCASTS ON A  
GENERAL USE BROADCAST FREQUENCY

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Commissioner for Patents  
MAIL STOP ISSUE FEE  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the **NOTICE TO FILE CORRECTED APPLICATION PAPERS**  
dated November 15, 2005, Applicant submits herewith the following documents for appropriate  
action by the U.S. Patent and Trademark Office:

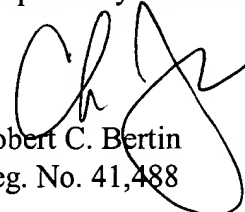
1. Copy of the Notice to File Corrected Application Papers;
2. Copy of Inventor's California Drivers License; and
3. Copy of Inventor's U.S. Passport.

The **NOTICE TO FILE CORRECTED APPLICATION PAPERS** indicates that the application is incomplete because the oath/declaration identifies the inventor by his initials and not by at least one given name as required by 37 CFR 1.63. However, it is incorrect that the oath/declaration identifies the inventor by his initials. As evidenced by the attached copies of the inventor's California Drivers License and U.S. Passport, "FM Bay" is the inventor's legal and valid name. Accordingly, "FM" is the inventor's given name and the oath/declaration is

complete. Therefore, it is respectfully submitted that the informality of the application has been overcome, and that the application proceed to issuance upon payment of the Issue Fee. The Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 19-5127 referencing 19635.0002.

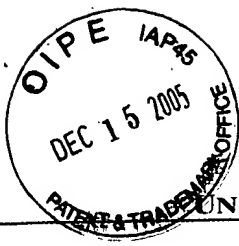
Respectfully Submitted,

Dated: 12-15-05

  
Robert C. Bertin  
Reg. No. 41,488

46,495 for

Swidler Berlin LLP  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007  
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial Number  
09904911

Date Mailed  
11/15/05

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

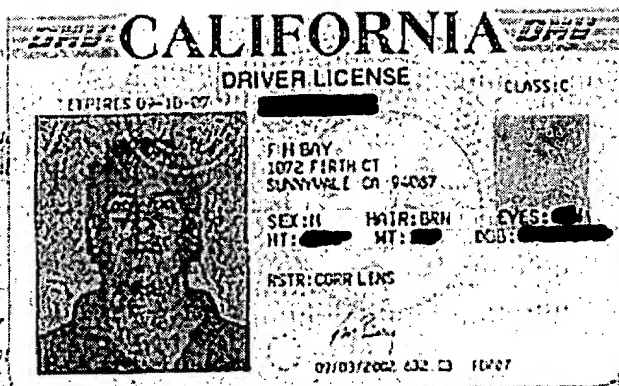
Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- The oath/declaration identifies inventor by initials. At least one full name must be given without initial 37 C.F.R. 1.63 (a) (2).

**APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.**

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450  
Alexandria, VA 22313-1450

Rori Burch  
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Am Bang

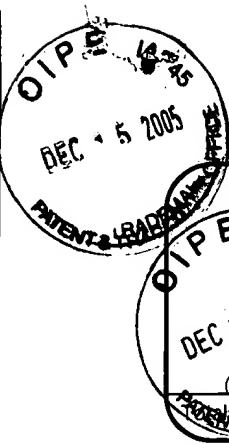
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Number of Pages in This Submission

5

Application Number

09/904,911

Filing Date

July 16, 2001

First Named Inventor

FM Bay

Art Unit

2664

Examiner Name

Ajit, PATEL

Attorney Docket Number

19635.0002

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☒ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):Response to Notice to File Corrected  
Application Papers w/Copy of Notice  
mailed 11/15/05 and attached copies of  
Inventor's California Driver's License and  
Inventor's U.S. Passport**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Swidler Berlin LLP

Signature

Printed Name

Robert C. Bertin

Date

December 15, 2005

Reg.  
No.

41,488

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date